OCT 1 0 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRADE Morishita et al.

Application No. 09/869,475 **Filed:** October 10, 2001

Confirmation No. 4309

For:

GENE THERAPY FOR DIABETIC

ISCHEMIC DISEASE

Examiner: Brian A. Whiteman

Art Unit: 1635

Attorney Reference No. 6235-59221-01

MAIL STOP RCE COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP RCE, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney or Agent for Applicant(s)

Date Mailed October 6, 2006

PURSUANT TO 37 C.F.R. § 1.97(b)(4)

Listed on the accompanying form PTO-1449 and enclosed herewith are several English-language documents. Applicants respectfully request that these documents be listed as references cited on the issued patent.

Applicants filed this Information Disclosure Statement ("IDS") before the mailing of a first Office action after the filing of a request for continued examination. As a result, no fee should be required to file this IDS. However, if the Patent Office determines that a fee is required for Applicants to file this IDS, please charge any such fees, or credit overpayment, to Deposit Account No. 02-4550. A duplicate copy of this IDS is enclosed.

The filing of this IDS shall not be construed to be an admission that the information cited in the statement is, or is considered to be, prior art or otherwise material to patentability as defined in 37 C.F.R. §1.56.

By (

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600 121 S.W. Salmon Street Portland, Oregon 97204 Telephone: (503) 595-5300

Facsimile: (503) 595-5301

cc: Docketing

Sheree Lynn Rybak, Pl

Registration No. 47,913

Attorney Docket Number G235-59221-01 Sy3075-doc MED-A0102P-US Attorney Docket Number G235-59221-01 Application Number G97869,475 Filing Date October 10, 2001 First Named Inventor Morishita Art Unit I635 Examiner Name Brian A. Whiteman							
Application Number 09/869,475 Filing Date October 10, 2001 First Named Inventor Morishita Art Unit 1635 Examiner Name Brian A. Whiteman U.S. PATENT DOCUMENTS Copies of the application number and the sisue date. For published U.S. applications, provide the publication number and the sisue date. For published U.S. applications, provide the publication number and the publication number and the publication number and the filing date. Examiner's Initials* Cite No. (optional) Country Number Publication Date Name of Applicant or Patentee Examiner's Initials* Cite No. (optional) Country Number Publication Date Name of Applicant or Patentee Examiner's Initials* Cite No. (optional) Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Ehanaced Collagen Accumulation Following Direct Transfection of the	SLR:dm 10/06	5/06 6235-5	9221-01 593075.doc MED	D-A0102P-US			
FOREIGN PATENT DOCUMENTS Examiner's Initials* Examiner's Cite No. (eptional) Examiner's Initials* Examiner's Cite No. (eptional) Examiner's Cite No. (eptional) Examiner's Initials* Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurate et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Filing Date First Named Inventor Morishita Art Unit 1635 Examiner Name Brian A. Whiteman Publication number and the publication date. For unpublished pending patent application, provide the patient number and the publication number and the publication date. For unpublished pending patent application, provide the patient number and the publication number and the publication date. For unpublished pending patent application number and the publication number and the publication date. For unpublished pending patent application, provide the patient number and the publication number and the publication date. For unpublished pending patent application, provide the patient number and the publication number and the publication date. For unpublished pending patent application, provide the patient number and the publication number and the publication date. For unpublished pending patent application number and the publication number and the public							
First Named Inventor Morishita Art Unit 1635 Examiner Name Brian A. Whiteman U.S. PATENT DOCUMENTS Copies of Copie					Application	on Number	
Art Unit Examiner Name Brian A. Whiteman U.S. PATENT DOCUMENTS Copies of the front documents do not need to be provided, unless requested by the Patent and Trademark Office. For patents, provide the patent number and the issue date. For upublished U.S. applications, provide the publication number and the publication date. For unpublished pending patent applications, provide the application number and the filing date. Examiner's Initials* Examiner's Initials* Cite No. (optional) Country Number Publication Date Name of Applicant or Patentee Examiner's Initials* Cite No. (optional) Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the	INKOR	MATION	N DISCLOSURE ST	TATEMENT	Filing Da	te	
Art Unit 1635 Examiner Name Brian A. Whiteman	/0.	Po B	SY APPLICANT		First Nam	ed Inventor	Morishita
Copies of the start documents do not need to be provided, unless requested by the Patent and Trademark Office. For patents, provide the patent number and the issue date. For published U.S. applications, provide the publication number and the issue date. For published U.S. applications, provide the publication number and the publication date. For unpublished pending patent applications, provide the application number and the filing date. Examiner's Initials* Cite No.					Art Unit		1635
Copies of the stant documents do not need to be provided, unless requested by the Patent and Trademark Office. For patents, provide the patent number and the issue date. For published U.S. applications, provide the publication number and the publication date. For unpublished pending patent applications, provide the application number and the filting date. Examiner's Initials* Cite No. Number Publication Date Name of Applicant or Patentee FOREIGN PATENT DOCUMENTS Examiner's Cite No. Country Number Publication Date Name of Applicant or Patentee Examiner's Cite No. Country Number Publication Date Name of Applicant or Patentee Examiner's Cite No. Country Number Publication Date Name of Applicant or Patentee Examiner's Cite No. Country Number Publication Date Name of Applicant or Patentee Examiner's Cite No. Country OTHER DOCUMENTS Initials* Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis;" Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:8471-8484 (1999).	OCT 1				Examiner	Name	Brian A. Whiteman
number and the issue date. For published U.S. applications, provide the publication number and the publication date. For unpublished pending patent applications, provide the application number and the filing date. Examiner's Cite No. Initials* Cite No. Initials* Cite No. (optional) Country Number Publication Date Name of Applicant or Patentee	Trans.	- ARTH	U	J.S. PATENT D	OCUMEN	TS	
Patent applications, provide the application number and the filing date. Examiner's Cite No. Initials* Cite No. Country Cite No. Country Cite No. Country Cite No.			ments do not need to be pro-	vided, unless requested	by the Patent	and Trademark Of	
Examiner's Initials* Cite No. (optional) Number Publication Date Name of Applicant or Patentee					ication number	and the publicatio	n date. For unpublished pending
Initials* (optional) FOREIGN PATENT DOCUMENTS Cite No.					- D 4	NT	f A P A D A A
Examiner's Initials* Cite No. (optional) Country Number Publication Date Applicant or Patentee Name of Applicant or Patentee OTHER DOCUMENTS Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the	Initials*	(optional)	Number	Publicati	on Date	Name o	Applicant or Patentee
Examiner's Initials* Cite No. (optional) Country Number Publication Date Applicant or Patentee Name of Applicant or Patentee OTHER DOCUMENTS Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the							
Examiner's Initials* Cite No. (optional) Country Number Publication Date Applicant or Patentee Name of Applicant or Patentee OTHER DOCUMENTS Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the							
Examiner's Initials* Cite No. (optional) Country Number Publication Date Applicant or Patentee Name of Applicant or Patentee OTHER DOCUMENTS Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the							
Examiner's Initials* Cite No. (optional) Country Number Publication Date Applicant or Patentee Name of Applicant or Patentee OTHER DOCUMENTS Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the					· • • •		
Examiner's Initials* Cite No. (optional) Country Number Publication Date Applicant or Patentee Name of Applicant or Patentee OTHER DOCUMENTS Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the							
Initials* (optional) Country Number Publication Date Applicant or Patentee Examiner's Initials* Cite No. (optional) OTHER DOCUMENTS Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the							
Examiner's Initials* Cite No. (optional) Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the			FOR	REIGN PATENT	Γ DOCUM	ENTS	
Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the		l I					
Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the		l I					
Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the		l I					
Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the		l I					
Denham et al., "Cationic Liposome-Medicated Gene Transfer During Acute Pancreatitis: Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the		l I					
Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the		l I					
Tissue Specificity, Duration, and Effects of Acute Inflammation," J. Gastrointest. Surg. 2:95-101 (1998). Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the	Initials* Examiner's	(optional) Cite No.		Number	Publicat	ion Date	
Denham et al., "Transient Human Gene Therapy, a Novel Cytokine Regulatory Strategy for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the	Initials* Examiner's	(optional) Cite No.	Country	Number OT	Publicat	ion Date	Applicant or Patentee
for Experimental Pancreatitis," Ann. Surg. 227:812-820 (1998). Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the	Initials* Examiner's	(optional) Cite No.	Country Denham et al., "Cat	Number OT	Publicat HER DOC	ion Date UMENTS Gene Transfer	Applicant or Patentee During Acute Pancreatitis:
Kurata et al., "Recombinant Adenonirus Vectors for Cytokine Gene Therapy in Mice," J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the	Initials* Examiner's	(optional) Cite No.	Denham et al., "Cat Tissue Specificity, I 2:95-101 (1998).	Number OTI	Publicat HER DOC Medicated fects of Acu	UMENTS Gene Transfer	During Acute Pancreatitis: on," J. Gastrointest. Surg.
J. Allergy Clin. Immunol. 103:S471-S484 (1999). Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the	Initials* Examiner's	(optional) Cite No.	Denham et al., "Cat Tissue Specificity, I 2:95-101 (1998). Denham et al., "Tra	Number OTI tionic Liposome- Duration, and Eff	Publicat HER DOC Medicated fects of Acuene Therapy	UMENTS Gene Transferate Inflammatic	During Acute Pancreatitis: on," J. Gastrointest. Surg.
Thornton et al., "Enhanced Collagen Accumulation Following Direct Transfection of the	Initials* Examiner's	(optional) Cite No.	Denham et al., "Cat Tissue Specificity, I 2:95-101 (1998). Denham et al., "Tra for Experimental Pa	Number OTI tionic Liposome- Duration, and Eff ansient Human Genericatitis," Ann.	HER DOC Medicated fects of Acu	UMENTS Gene Transfer te Inflammative, a Novel Cyres 12-820 (1998)	During Acute Pancreatitis: on," J. Gastrointest. Surg.
	Initials* Examiner's	(optional) Cite No.	Denham et al., "Cat Tissue Specificity, I 2:95-101 (1998). Denham et al., "Tra for Experimental Pa Kurata et al., "Reco	Number OTI cionic Liposome- Duration, and Effects ansient Human Genereatitis," Ann. combinant Adenon	HER DOC Medicated fects of Acuene Therapy Surg. 227:	UMENTS Gene Transferate Inflammati y, a Novel Cyr 812-820 (1998) s for Cytokine	During Acute Pancreatitis: on," J. Gastrointest. Surg.
TO THE PROPERTY OF A STATE AND THE STATE OF THE PROPERTY OF THE STATE	Initials* Examiner's	(optional) Cite No.	Denham et al., "Cat Tissue Specificity, I 2:95-101 (1998). Denham et al., "Tra for Experimental Pa Kurata et al., "Reco J. Allergy Clin. Imm	Number OTI tionic Liposome- Duration, and Eff insient Human Genereatitis," Ann. Imbinant Adenon nunol. 103:S471-	HER DOC Medicated fects of Acu ene Therapy Surg. 227: irus Vector S484 (1999)	UMENTS Gene Transferate Inflammative, a Novel Cyron Stransfer Cytokine (1998).	Applicant or Patentee During Acute Pancreatitis: on," J. Gastrointest. Surg. okine Regulatory Strategy Gene Therapy in Mice,"

|--|

Vogel, "A Direct In Vivo Approach for Skin Gene Therapy," Proc. Assoc. Am. Physicians

Comm. 246:654-659 (1998).

111:190-197 (1999).

^{*} Examiner: Initial if reference considered, whether or not in conformance with MPEP 609. Draw line through cite if not in conformance and not considered. Include copy of this form with next communication to applicant.